



## CITY OF LODI

## COUNCIL COMMUNICATION

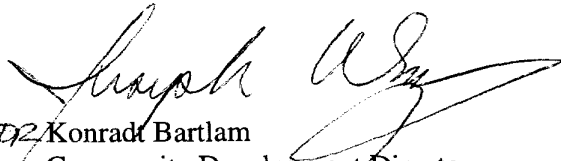
**AGENDA TITLE:** Set public hearing for November 6, 2002 to consider the appeal of Ann Cerney regarding the decision of the Planning Commission to approve a 33-unit low density residential Development Plan and recommend that Council: 1) certify Negative Declaration ND-02-05 as adequate environmental documentation for the project on 5.68 acres located at the southwest corner of the intersection of Lower Sacramento Road and Taylor Road, and 2) adopt the 2002 Growth Management Allocations

**MEETING DATE:** October 16, 2002

**PREPARED BY:** J.D. Hightower, City Planner

**RECOMMENDED ACTION:** That the City Council set a public hearing for November 6, 2002, to consider the appeal of Ann Cerney regarding the decision of the Planning Commission to approve a 33-unit low density residential Development Plan and recommend that Council: 1) certify Negative Declaration ND-02-05 as adequate environmental documentation for the project on 5.68 acres located at the southwest corner of the intersection of Lower Sacramento Road and Taylor Road, and 2) adopt the 2002 Growth Management Allocations.

**FUNDING:** None required

  
Konrad Bartlam  
Community Development Director

Prepared by: J.D. Hightower, City Planner

JH/lw

**APPROVED:** \_\_\_\_\_

  
H. Dixon Flynn -- City Manager



**CITY OF LODI**  
**Carnegie Forum**  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

**Date:** November 6, 2002

**Time:** 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Wednesday, November 6, 2002** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) the appeal from Ann Cerney regarding the decision of the Planning Commission to approve a 33-unit low density residential Development Plan and recommend that Council: 1) certify Negative Declaration ND-02-05 as adequate environmental documentation for the project on 5.68 acres located at the southwest corner of the intersection of Lower Sacramento Road and Taylor Road, and 2) adopt the 2002 Growth Management Allocations.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

**Dated:** October 16, 2002

Approved as to form:

Randall A. Hays  
City Attorney



## **DECLARATION OF POSTING**

**SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE APPEAL OF ANN CERNEY REGARDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE A 33-UNIT LOW DENSITY RESIDENTIAL DEVELOPMENT PLAN ON 5.68 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LOWER SACRAMENTO ROAD AND TAYLOR ROAD**

On Thursday, October 17, 2002 in the City of Lodi, San Joaquin County, California, a copy of the Public Hearing Notice referenced above (and attached hereto, marked Exhibit "A") was posted at the following four locations:

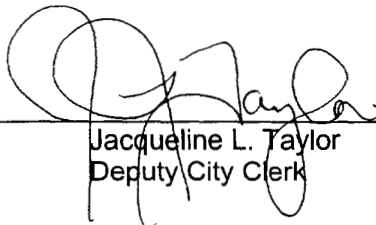
Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON  
CITY CLERK**

A handwritten signature in black ink, appearing to read "Jacqueline L. Taylor", is written over a horizontal line. Below the line, the text "Jacqueline L. Taylor" and "Deputy City Clerk" is printed.

Jacqueline L. Taylor  
Deputy City Clerk

---

Patricia Ochoa  
Administrative Clerk

---

Jennifer M. Perrin  
Deputy City Clerk



## **DECLARATION OF MAILING**

**SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE APPEAL OF ANN CERNEY REGARDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE A 33-UNIT LOW DENSITY RESIDENTIAL DEVELOPMENT PLAN ON 5.68 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LOWER SACRAMENTO ROAD AND TAYLOR ROAD**

On October 17, 2002 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a notice of public hearing as referenced above, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

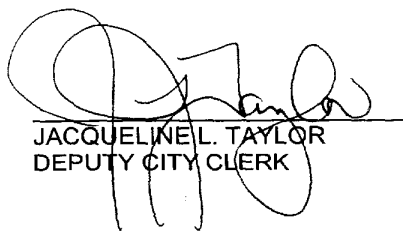
I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2002, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON  
CITY CLERK, CITY OF LODI**

ORDERED BY:

  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

\_\_\_\_\_  
PATRICIA OCHOA  
ADMINISTRATIVE CLERK

Vintner's Square – Appeal, Development Plan, Allocations

- 1) 02704011;VLAVIANOS, PHYLLIS J EST ;1224 S LOWER SAC RD ;LODI ;CA;95242
- 2) 02704010;KIRIU, TOM & TERRY TRS ;1212 S LOWER SAC RD ;LODI ;CA;95242
- 3) 02704012;VALENTINE, ANTONIO & MENARDA T;22 POWERS AVE ;SAN FRANCISCO ;CA;94110
- 4) 02704088;SUNWEST MARKETPLACE LODI LLC ;1801 OAKLAND BLVD #210 ;WALNUT CREEK ;CA;94596
- 5) 02705014;GEWEKE FAMILY PTP ;PO BOX 1210 ;LODI ;CA;95241
- 6) 02733003;TRACY, JEFFREY L & TAMRA ;2426 BRITTANY CT ;LODI ;CA;95242
- 7) 02733004;MATHEWS, RICHARD E & DORENE ;2432 BRITTANY CT ;LODI ;CA;95242
- 8) 02733005;SCHMIERER, MICHAEL H ;2438 BRITTANY CT ;LODI ;CA;95242
- 9) 02733006;MARSH, MICHAEL B & SARAH W ;1201 OXFORD WAY ;STOCKTON ;CA;95204
- 10) 02733016;SUNWEST HOMEOWNERS ASSN ;317 W LODI AVE ;LODI ;CA;95240
- 11) 02704087;BROOKHURST SHOPPING CENTER LLC;1371 OAKLAND BLVD SUITE 200 ;WALNUT CREEK ;CA;94596
- 12) 02705003;MEIER, EMMA ;345 E TAYLOR RD ;LODI ;CA;95242
- 13) 02705010;PARISIS, ANGELOS S ;9949 FERNWOOD AVE ;STOCKTON ;CA;95212
- 14) 02705020;HEDRICK, LAMAR A & JOANN A TR ;209 E HWY 12 ;LODI ;CA;95242
- 15) 02705021;MEXICAN AMER CATHOLIC FED ;PO BOX 553 ;LODI ;CA;95241
- 16) 02706001;GUTIERREZ, MERCED P & F P ;383 E TAYLOR RD ;LODI ;CA;95240
- 17) 02706002;CULBERTSON, JAMES F & P TRS ;641 N PACIFIC AVE ;LODI ;CA;95242
- 18) 02706003;CULBERTSON, STEVEN S & T E ETA;3008 ROSEWOOD DR ;LODI ;CA;95242
- 19) 02706005;MCNEIL, DANIEL R & S M ;441 TAYLOR RD ;LODI ;CA;95240
- 20) 02706009;SANCHEZ, DOMINGO ;517 TAYLOR RD ;LODI ;CA;95240
- 21) 02706011;FREY, LELAND & MILLIE ;485 E TAYLOR RD ;LODI ;CA;95242
- 22) 02706012;REISWIG, KENNETH C ETAL ;246 NORTH LOMA ;LODI ;CA;95240
- 23) 02706013;ROBERSON, KENNETH A & RITA G ;619 TAYLOR RD ;LODI ;CA;95242
- 24) 02706014;FINKELSTEIN, JAY & DONNA ;360 RANELAGH RD ;HILLSBOROUGH ;CA;94010

- 25) 02706027;VANDER HEIDEN, BEN & RENEE D ;681 TAYLOR RD ;LODI ;CA;95242
- 26) 02706028;SMITH, DANA C & DEANNA L ;211 S AVENA AVE ;LODI ;CA;95242
- 27) 02706029;ZAPARA, RANDY K & M A ;695 E TAYLOR RD ;LODI ;CA;95240
- 28) 02706035;WILLIAMS, DAVE A & KATHLEEN R ;1100 INTERLAKEN DR ;LODI ;CA;95242
- 29) 02706036;WAGNER, LESTER & M ;15472 HILDE LANE ;LODI ;CA;95240
- 30) Grem, Inc., 920 S. Cherokee Lane Suite A, Lodi, CA 95240
- 31) Ann Cerney, 900 W. Vine Street, Lodi, CA 95240



**DECLARATION OF MAILING**  
**LETTER TO APPELLANT**

**SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE APPEAL OF**  
**ANN CERNEY REGARDING THE DECISION OF THE PLANNING COMMISSION TO**  
**APPROVE A 33-UNIT LOW DENSITY RESIDENTIAL DEVELOPMENT PLAN ON 5.68**  
**ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF**  
**LOWER SACRAMENTO ROAD AND TAYLOR ROAD**

On October 17, 2002, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, and additionally, United States certified mail envelopes with first-class postage prepaid thereon and indication of return receipt requested, containing a letter of notification, a copy of which is attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.


I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON**  
**CITY CLERK, CITY OF LODI**

ORDERED BY:

  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK

\_\_\_\_\_  
PATRICIA OCHOA  
ADMINISTRATIVE CLERK

CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
SUSAN HITCHCOCK,  
Mayor Pro Tempore  
EMILY HOWARD  
KEITH LAND  
ALAN S. NAKANISHI

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807  
cityclrk@lodi.gov

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

October 17, 2002

MAILED CERTIFIED MAIL #7000 1670 0008 4483 1333  
AND REGULAR U.S. POSTAL DELIVERY

Ann M. Cerney  
900 West Vine Street  
Lodi, CA 95240

**RE: PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER APPEAL REGARDING  
33-UNIT LOW DENSITY RESIDENTIAL DEVELOPMENT AT SOUTHWEST CORNER  
OF THE INTERSECTION OF LOWER SACRAMENTO ROAD AND TAYLOR ROAD**

---

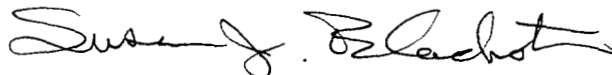
This letter is to notify you that a Public Hearing will be held by the City Council on **Wednesday, November 6, 2002**, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider your appeal of the Planning Commission's decision on September 12, 2002 to approve a 33-unit low density residential Development Plan and recommend that Council: 1) certify Negative Declaration ND-02-05 as adequate environmental documentation for the project on 5.68 acres located at the southwest corner of the intersection of Lower Sacramento Road and Taylor Road, and 2) adopt the 2002 Growth Management Allocations.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.  
*Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.*

Should you have any questions, please contact my office or Community Development Director Konradt Bartlam at (209) 333-6823.

Sincerely,



Susan J. Blackston  
City Clerk

SJB/JLT

cc: Community Development Director



CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
SUSAN HITCHCOCK,  
Mayor Pro Tempore  
EMILY HOWARD  
KEITH LAND  
ALAN S. NAKANISHI

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

October 10, 2002

Ann M. Cerney  
900 W. Vine Street  
Lodi, CA 95240

**RE: APPEAL OF PLANNING COMMISSION DECISION (09/12/02)**  
**To approve and recommend to the City Council a Growth**  
**Management Review and Development Plan that would allocate 33**  
**residential dwelling units at the southwest corner of Taylor and**  
**Lower Sacramento Roads**

---

This is to notify you that at the City Council meeting of October 16, 2002 at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chambers, at the Carnegie Forum, 305 West Pine Street, Lodi, the Council will consider setting the date for the public hearing pertaining to the above matter.

Enclosed is a copy of the October 16, 2002 City Council agenda and staff report related to Consent Calendar Item E-30 as prepared by the Community Development Department. The Community Development Department is recommending that the hearing be scheduled for **November 6, 2002**. Please note that prior to voting on the Consent Calendar the Mayor will offer an opportunity to the public to make comments. Should you wish to do so, please submit a "Request to Speak" card (*available in the Carnegie Forum*) to the City Clerk prior to the opening of the meeting.

Should you have any questions, please contact me at 333-6702, or Community Development Director Rad Bartlam at 333-6711.

Sincerely,



Susan J. Blackston  
City Clerk

SJB

cc: Community Development Department